

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

) Case No. 16-02557

In re Matter of :) Chapter 7 Proceeding

George W. Hudson) Honorable Judge Jack B. Schmetterer

Debtor) Courtroom 68?

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NOTICE OF MOTION

FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

APR 07 2016

Corporation Counsel

Norman B. Newman

Corporation Counsel

Much Shelist P.C.

JEFFREY P. ALLSTEADT, CLERK

30 North LaSalle, St 1400

191 North Wacker Drive, St 1800

Chicago, IL 60602

191 North Wacker Drive, St 1800

U ARE HEREBY NO

Chicago, IL 60606, (312) 521-2000

YOU ARE HEREBY NOTIFIED that that on April 7, 2016, a.m. or P.M or as soon as possible I shall present and appear then before the Honorable Judge Jack B. Schmetterer or any other Judge sitting in his stead in courtroom 682 at 219 South Dearborn Street in Chicago **Debtor's Motion to for Contempt order Against City of Chicago Revenue and its attorney's Arnold Scott Harris should not be in contempt for willful violation of the Automatic Stay 11 U.S.C. 362 (a) for refusal to turn over Debtor's Vehicle and costs and fees and any other relief this court deems just a copy to be served upon you.**

CERTIFICATE OF SERVICE

I, George W. Hudson, certify that I served a copy of the **Notice of Motion** to the foregoing named persons in the above-entitled cause by Personal Hand delivery and U.S. Post prepaid Mail before 5:00 p.m. on April 8, 2016.

George W. Hudson

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In re Matter of :) Case No. 16-02557

George W. Hudson) Chapter 7 Proceeding

Debtor) Honorable Judge Jack B. Schmetterer

) Courtroom 682

)

**DEBTOR'S MOTION WHY CITY OF CHICAGO REVENUE AND ITS ATTORNEY'S ARNOLD SCOTT
HARIS SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE AUTOMATIC STAY FOR
REFUSAL TO TURNOVER VEHICLE**

NOW COMES the Debtor , George W. Hudson , ("Pro-se") , and moves this Honorable Court for entry of Order for Contempt against the City of Chicago Revenue and its attorney's Arnold Scott Harris for violating the Automatic Stay pursuant to 362 (a) . In support debtor states as follows:

INTRODUCTION

1 On January 28th 2016, Debtor George W. Hudson filed a Chapter 7 Petition , case number 16-02557

2. On or About June 8th , 2015 City of Chicago Revenue Booted and repossess the debtor's Vehicle ("car").

3. The Court has jurisdiction over the proceeding which arises in a case under the Bankruptcy Code and concerns property of the estate under Section 541 (a) (1) also contains a provision

4. Stating that property of the estate includes “ all legal or equitable interest of the holder of the debtor in property as commenced of the case .” Under the Bankruptcy code’s stay provision , no creditor commits “ **any act obtain to obtain possession of the property of the estate or to exercise control over the property of the estate after the debtor has for bankruptcy .” 11 U.S.C. 362 (a) (3).**

5. However the is no debate that Hudson has an equitable interest in his automobile car, in such , it is property of his bankruptcy estate . **See United states v. Whiting Pools, Inc., 462 U.S. 198, 203 , 103 S.Ct. 2309 , 76 L.E.2d. 515 (1983) . (“section 541 (a) (1) also in In re Yates , 322 B.R. 1 , 5 (10th BAP 2005).** Moreover it is not necessary for the debtor to have equity in the property for the debtor to have sufficient legal or equitable interest to make it property of the estate .

6. The City of Chicago Revenue finance (“creditors”) and its attorneys Arnold **refusal to turn over the debtor’s vehicle promptly upon leaning of his Chapter 13 filing, thereby constituted an unlawful exercise or control over the property of bankruptcy estate in violation of the automatic stay pursuant to 11 U.S.C. 362 (a) (3).**

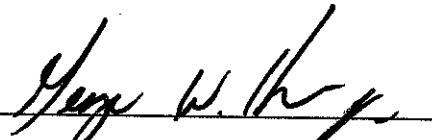
7. In the possession of the Plaintiff is the Debtor’s automobile car ,(“ the vehicle”) and is property of the estate pursuant to 11 U.S.C. Section 541.

8. At the time this petition was filed , Debtor personally delivery a copy of the notice of filing to the City of Chicago Revenue attorneys Arnold Scott Harris , P.C. at 111 Jackson Blvd, suite 400 in Chicago , Illinois.

9. The Chapter 7 plan filed by Debtor , has adequate protection and full insurance on the said vehicle Car .

WHEREFORE the Debtor George W. Hudson prays this Court to enter an order for City of Chicago Revenue and its attorneys Arnold Scott Harris , P.C. to **release Debtor's Vehicle immediately** and finding that City of Chicago Revenue and its attorneys Arnold Scott Harris , P.C. **actions were willful violated the automatic stay (3) and cost and fees (4) any other relief** his Court deems just and necessary .

Respectfully submitted

By 
George W. Hudson

George W. Hudson
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